

Cook, Stanley

1028741

From: Eoc, Epahq
Sent: Friday, April 08, 2016 12:29 PM
To: Eoc, Epahq
Subject: EOC Spot Report Update # 1: Region 8, Buffalo Ranch Rodenticide, McLaughlin, SD
Attachments: Update# 1 R8 - BufalloRanchRodenticide.docx

Updates 1028740

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EOC Spot Report **Update # 1**: Region 8, Buffalo Ranch Rodenticide, McLaughlin, SD

US Environmental Protection Agency

Report as of **16:00 pm ET on 04/07/2016**

Overview: On the morning of 4/04/16 the Phone Duty Officer was notified of a rancher misapplying the rodenticide Rozol® on a ranch. The reported area of misapplication may exceed 600 acres. Release volume of misapplied Rozol may be as large as 50,000 pounds. As of this writing, five (5) dead bald eagles have been found by the United States Fish and Wildlife Services (USFWS).

State, Local and other Federal Agency Actions: The site is located on the Standing Rock Reservation on the North Dakota/South Dakota border near McLaughlin, SD. At this time, the site appears to be private property within the reservation boundary.

USFWS personnel reported this incident to EPA and remain involved. The Tribe has a credentialed FIFRA inspector, who has been and remains involved.

The active ingredient, Chlorophacinone, is an Extremely Hazardous Substance under EPRCA, but does not appear to be a Hazardous Substance under CERCLA. The region is looking into enforcement options in the event that a CERCLA response is warranted.

EPA Actions: A Region 8 OSC was dispatched to the site on 4/06/16 but was denied access by the property owner. A portion of the impacted land is owned by the tribe and leased to the

rancher. A tribal member is escorting the OSC around those areas while other access options available to the agency are explored.

As of approximately 5:30 ET on 4/06, EPA has permission to enter the site and conduct an assessment. The assessment is now ongoing. The rancher has started tilling the material into the soil, breaking the ingestion pathway for rodents, and subsequently, the carrion eaters or birds of prey. This is a fairly common solution to this problem where groundwater is not shallow, as it allows the rodenticide to decompose safely underground. The OSC will continue to evaluate this in consultation with the Tribe during the assessment.

Media Interest: Low

The HQ EOC will continue to monitor and provided updates as needed.

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